

ENTERED

August 28, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MICHAEL E. SYKES,

Plaintiff,

v.

KILOLO KIJAKAZI,
ACTING COMMISSIONER
OF THE SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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Civil Action No. 4:22-CV-02093

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the July 21, 2023 Memorandum and Recommendation (“M&R”) prepared by Magistrate Judge Peter Bray. (Dkt. No. 19). Judge Bray made findings and conclusions and recommended that Plaintiff’s case be dismissed with prejudice under Federal Rule of Civil Procedure 41(b). *Id.*

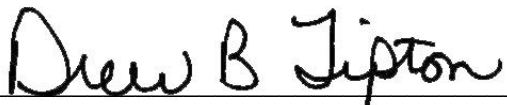
The Parties were provided proper notice and the opportunity to object to the M&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed an objection. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005). No plain error appears.

It is therefore ordered that:

- (1) Judge Bray’s M&R, (Dkt. No. 19), is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff’s Complaint, (Dkt. No. 1), is **DISMISSED WITH PREJUDICE** under Federal Rule of Civil Procedure 41(b).

It is SO ORDERED.

Signed on August 26, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE